

# Notice of Allowability

Application No.

09/579,677

Examiner

Charles E. Anya

Applicant(s)

AHERN ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendment/remarks and interviews of 9/24/07 & 9/27/07.
2. ☒ The allowed claim(s) is/are 6,8,9 and 12: now renumbered as 1-4.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

  
WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 9/24/07&9/27/07.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### **EXAMINER'S AMENDMENT & REASONS FOR ALLOWANCE**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Hunter Webb (Reg. No. 54,593) on 9/24/07 and 9/27/07.

#### **I. EXAMINER'S AMENDMENT:**

Please amend claims in accordance with the attached claim amendment submitted by Applicant.

#### **II. REASONS FOR ALLOWANCE:**

The following is an examiner's statement of reasons for allowance:

The prior arts of record do not explicit teach or render obvious the invention as recited in the independent claims.

The Dadiomov et al (U.S. Pat. No 6,529,932) prior art discloses a method and system for processing distributed transactions that integrates the execution of operations of a transaction on separate computers with the exactly-once in-order message delivery of a message queuing system to allow the transaction operations to be performed atomically and asynchronously. In a distributed transaction, a first application on a first computer requests a local resource manager to perform a first

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operation and uses a message queue (MQ) server to send a request message to a second application on a remote computer for the performance of a second operation. The local resource manager and the MQ server of the first computer are coordinated to perform the first operation and send the request message in a local committed transaction. The message is delivered exactly once and in sequence to a target message queue for the second application on the remote computer. The second application uses the MQ server of the remote computer to read the message and uses a second resource manager to perform the requested second operation in a second local committed transaction. As part of the second local committed transaction, the MQ server of the remote computer sends an acknowledgment, which is delivered by the message queuing system to the MQ server of the first computer.

However, the invention as claimed "wherein the set commands includes a define command for defining a new computer resource, wherein a scope definition parameter value specified in said define command is associated with said computer system resource in response to issuing the command and wherein the scope definition parameter value determines the scope of access and change rights for the computer system resource and determining whether the computer system resource should be stored in a shared access memory which is accessible by all cooperating communication managers in said group of cooperating communication managers or should be stored in unshared local memory of an individual cooperating communication manager indicated by said command target qualifier and wherein the cooperating communication managers are queue managers, and wherein the computer program is a

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queue", when taken in the context of the claims as a whole, was not uncovered in the prior art's teaching.

Nor were references uncovered that would have provided a basis of evidence for asserting a motivation that one of ordinary skill in the art at the time the invention was made, knowing of a method and system for processing distributed transactions that integrates the execution of operations of a transaction on separate computers with the exactly-once in-order message delivery of a message queuing system to allow the transaction operations to be performed atomically and asynchronously, would have integrated or modified to teach management or administration of queue managers and queues including set of commands for defining a new computer resource, whereby a scope definition parameter value specified in the set of commands is associated with a computer system resource in response to issuing a command and the scope definition parameter value determines the scope of access and change rights for the computer system resource and determines whether the computer system resource should be stored in a shared access memory which is accessible by all cooperating queue managers or should be stored in unshared local memory of an individual cooperating queue manager as taught by the instant application.

Dependent claims are allowed as they depend upon allowable independent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E. Anya whose telephone number is 571-272-3757. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on 571-272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

cea.

  
WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER